

REMARKS

Applicants have now had the opportunity to carefully consider the Examiner's comments as set forth in the Office Action of October 18, 2007. The Examiner will appreciate that independent claims 1, 6 and 11 have been amended in order to further clarify the claimed disclosure. Claims 5 and 10 have been canceled.

Reconsideration of the application is respectfully requested.

The Office Action

In the Office Action mailed October 18, 2007, the Examiner rejected all pending claims under 35 U.S.C. §103. Claims 1, 3-6 and 8-10 were rejected as being unpatentable over Whitfield (U.S. Patent 5,995,824) in view of Williams (U.S. Patent Application No. 2004/0252679). Claims 11 and 13-17 were rejected as being unpatentable over Whitfield and Williams and further view of Qu (U.S. Patent 6,965,786).

The Cited Art

The Examiner cites Whitfield, which is directed towards a cellular phone voice recorder. Williams teaches a system and method that provides cellular phone recording in order to simplify the recording information while using a mobile terminal. The voice recording feature of Whitfield is implemented within the MSC/VLR. When the MSC/VLR receives a USSD message within the service code, a call is set up to the subscriber's voicemail using stored voicemail routing number and the subscriber's PIN.

The Examiner also cites Williams which is directed towards a stored voice message control extension. Williams teaches a method and apparatus for performing voice message control. The method recognizes at least one recipient of subject matter for one or more audio files stored in a storage facility and generates a text message representing the subject matter of the one or more audio files. This text message is then transmitted to at least one recipient over a packet data network channel. Williams also teaches using the mobile device and buttons to create a voice message memo. The memo is then packetized and sent to a messaging server which may identify it as a memo and store it in an archive.

Lastly, the Examiner cites Qu. Qu teaches enunciators for voice and data applications and wire communication devices. The applications may be voice, call handling, data call handling, voice recognition, or voice memos. The enunciator is

indicative of the current status of the application. Qu also provides a memo screen with the listing of items which may be displayed when requested.

Independent claims 1, 6, and 11 as amended are not unpatentable over the cited art.

Independent claims 1, 6, and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over the cited art. The Examiner will appreciate that all three claims have been amended and claims 5 and 10 have been canceled. It is respectfully submitted that the application is currently in condition for allowance in light of the following reasons.

All independent claims, claims 1, 6, and 11, have been amended to include language involving opening a connection between the mobile station and voice messaging system where the connection comprises a first path from the mobile station to a voice memo control module and the second path from the voice memo control module to a voice handler. None of the cited art teaches or even suggests that the connection includes two paths. The first path is from the mobile station to a voice memo control module and the second path is from the voice memo control module to a voice handler. This connection is detailed in paragraph 50 of detailed description. This connection is also laid out in Figure 6 of the drawings. Because Williams and Whitfield do not detail a dual path connection, as claimed in the present application, the independent claims 1, 6, and 11 are currently in condition for allowance. It should also be noted that the addition of Qu does not cure this deficiency. It is respectfully requested that the rejection to these claims be withdrawn.

Dependent claims 3, 4, 8, 9 and 13-17 are dependent from one of the independent claims.

All remaining claims in the application are either directly or indirectly dependent from one of the independent claims discussed above. It is therefore respectfully requested that the rejections to these claims be withdrawn.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1, 3, 4, 6, 8, 9, 11 and 13-17) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Joseph D. Dreher, at (216) 861-5582.

Respectfully submitted,

Fay Sharpe LLP

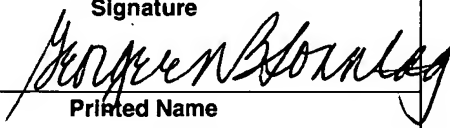
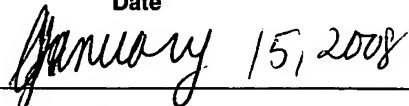
1/15/08
Date

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